



REPUBLIC OF NAURU

**Constitution of Nauru (Speaker
Amendments) Bill 2013**

Serial No. 3 of 2013

Table of Provisions

1	Short title.....	1
2	Commencement	1
3	Alteration of Constitution of Nauru	1
SCHEDULE — ALTERATION OF CONSTITUTION OF NAURU.....		2
[1]	Amendment and renumbering of Article 32 (Vacation of seats by members of Parliament)	2
[2]	Repeal and substitution of Article 34	2
	33A Oath of members of Parliament	2
	34 Speaker of Parliament	2
	34A Functions and powers of Speaker.....	3
[3]	Amendment of Article 35 (Deputy Speaker of Parliament)	4
[4]	Repeal and substitution of Articles 43 and 44.....	4
	44 Speaker to preside.....	4
[5]	Amendment of Article 45 (Quorum)	4
[6]	Amendment of Article 46 (Voting)	4
[7]	Amendment of Article 81 (Interpretation)	5
[8]	New Ninth Schedule	5
[9]	Transitional provisions: amendment of Arrangement of Provisions; new Article 101 and Tenth Schedule.....	5
	101 Transitional provisions for 2013 alterations.....	6
	1 Transitional provisions 2013—Speaker	6

Constitution of Nauru (Speaker Amendments) Bill 2013

[10]	Common amendments 2013—amendment of Article 85 (Existing laws); repeal and substitution of Articles 87 to 92; repeal of Articles 94 to 100 and Sixth Schedule.....	7
	92A Effect of alterations, interpretation of Constitution etc.....	7

REPUBLIC OF NAURU

Constitution of Nauru (Speaker Amendments) Bill 2013

Serial No. 3 of 2013

A Bill for:

An Act to alter The Constitution of Nauru in relation to the office of Speaker and for other purposes

Certified on []

Enacted by the Parliament of Nauru as follows:

1 Short title

This Act may be cited as the *Constitution of Nauru (Speaker Amendments) Act 2013*.

2 Commencement

This Act commences on the day of the general election next following its certification.

3 Alteration of Constitution of Nauru

The Schedule alters The Constitution of Nauru.

SCHEDULE — ALTERATION OF CONSTITUTION OF NAURU

[1] Amendment and renumbering of Article 32 (Vacation of seats by members of Parliament)

1.1 Article 32(1)(c)

omit

, in the case of a member other than the Speaker, to the Speaker and, in the case of the Speaker, to the Clerk of Parliament

substitute

to the Speaker

1.2 Article 32

renumber as Article 35B and relocate it so that it appears immediately before Article 36

[2] Repeal and substitution of Article 34

Article 34

repeal, substitute

33A Oath of members of Parliament

A member of Parliament must, before taking the member's seat, swear before Parliament the oath set out in the Third Schedule.

34 Speaker of Parliament

- (1) Subject to Article 33A and Article 41(8), during the first session of Parliament next following a general election and whenever the office of Speaker is vacant, Parliament must, before it proceeds to transact any other business, elect as Speaker a person who is not a member of Parliament but who is qualified to be a member of Parliament.
 - (2) Parliament must enact a law to provide for the manner in which nominations for and election of the Speaker must be conducted, and for related matters necessary or desirable to give effect to clause (1).
-

- (3) The Speaker ceases to hold office:
- (a) when Parliament first meets after a dissolution; or
 - (b) on ceasing to be qualified to be a member of Parliament; or
 - (c) on nominating for election as a member of Parliament; or
 - (d) on being removed from office by a resolution supported by at least two thirds of the total number of members of Parliament; or
 - (e) on resigning by signed written notice to the Clerk of Parliament.
- (4) On being elected, and before undertaking official duties, the Speaker must swear before Parliament the oath set out in the Ninth Schedule.

34A Functions and powers of Speaker

The functions and powers of the Speaker include, in accordance with this Constitution:

- (a) presiding over the proceedings of Parliament – Article 44; and
- (b) convening sessions or sittings of Parliament as required under the Constitution – Articles 40, 42; and
- (c) proroguing or dissolving Parliament – Article 41; and
- (d) appointing dates for elections – Article 39; and
- (e) appointing, disciplining or removing the Clerk of Parliament – Article 35A; and
- (f) managing and controlling Parliament and its precincts including all staff and other employees in the service of the Office of Parliament; and
- (g) such other functions and powers as prescribed by this Constitution, by law or by Standing Orders of Parliament.